

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARGARET RHEE-KARN,	:	
	:	15cv9946 (DLC)
Plaintiff,	:	
	:	<u>ORDER</u>
-v-	:	
	:	
SUSAN CHANA LASK, ESQ., A/K/A SUSAN	:	
LUSK, A/K/A SUSAN LESK,	:	
	:	
Defendant.	:	
	:	
-----X		

DENISE COTE, District Judge:

As set forth on the record at the conference held on October 28, it is hereby

ORDERED that, by **November 1**, the plaintiff shall file a letter identifying any admissions made by the defendant either to this Court or the Court of Appeals regarding entries on the defendant's invoices that represent work related to the First Federal Action. The defendant shall, by **November 3**, file any response to the plaintiff's submission.

IT IS FURTHER ORDERED that, to the extent that the issue of the appropriate amount of damages is not resolved earlier, trial in this action will commence on **February 7, 2023 at 9:30 a.m.** The Joint Pretrial Order must be filed by **January 20**. As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a

Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. In the event a party does not file a Memorandum of Law, a responsive Memorandum of Law should not be submitted unless in reply to an unanticipated legal argument in the other party's Memorandum of Law.

IT IS FURTHER ORDERED that the following procedures shall govern the conduct of the trial.

1. All exhibits must be pre-marked.
2. At the start of the trial each party will send the following to the Court's Chambers email inbox:
Cotenysdchambers@nysd.uscourts.gov:
 - (a) A complete exhibit list.
 - (b) A set of pre-marked exhibits assembled sequentially in a digital folder and labeled with exhibit numbers for ready reference.
 - (c) The exhibits should include copies of the sections of any depositions that are intended to be offered into evidence, expert reports, and any charts or summaries of evidence.
3. Counsel should be available at 9:00 a.m. in order to discuss with the Court any legal or evidentiary issues expected to arise during the day.
4. There should be no sidebars during jury trials. Counsel are expected to anticipate any problems that might require a ruling from the Court and to raise those issues with the Court in advance of the time that the jury will be hearing the evidence.
5. If counsel intend to distribute copies of documentary exhibits to the jury, make a digital copy available for each juror.


6. Counsel should make certain that they have custody of all original exhibits. The Court does not retain them and the Clerk is not responsible for them.

IT IS FURTHER ORDERED that the parties shall consult and advise the Court by **December 16** whether, should this case proceed to trial, all parties consent to a bench trial before this Court. Should there be a division of views among the parties, no one shall on any account advise the Court which party or parties has elected to proceed to trial before a jury.

IT IS FURTHER ORDERED that the parties shall consult and advise the Court by **December 16** whether all parties consent to have this case proceed to trial before a Magistrate Judge rather than before this Court. Should the parties elect to proceed before a Magistrate Judge, they should complete the attached Notice, Consent, and Reference of a Civil Action to a Magistrate Judge and submit it to the Clerk of Court. Should there be a division of views among the parties, no one shall on any account advise the Court which party or parties were willing to proceed to trial before a Magistrate Judge. If all parties consent to trial before the Magistrate Judge, that trial may be conducted at the parties' election either as a

jury trial or a bench trial.

Dated: New York, New York
October 28, 2022



DENISE COTE
United States District Judge

UNITED STATES DISTRICT COURT

for the
Southern District of New York

_____)	
<i>Plaintiff</i>)	
v.)	Civil Action No.
_____)	
<i>Defendant</i>)	

NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

<i>Parties' printed names</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Reference Order

IT IS ORDERED: This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: _____

*District Judge's signature*_____
Printed name and title

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.